

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.19 of 2024

Arising Out of PS. Case No.-381 Year-2022 Thana- GAYA KOTWALI District- Gaya

Shubham Kumari D/O Dilip Kumar R/O Village- Naya Tola, Gurudwara Gali,
P.S- Khajkala, Distt.- Patna At Present Posted As Music Teacher, Ramruchi
Balika Inter Vidyalaya, Aditya Raj Ranjan, Piparpati Rd, Ambedakar Nagar,
Panchaiti Akhara, P.S- Mohanpur, Distt.- Gaya.

... .. Petitioner/S

Versus

1. The State Of Bihar through the Principal Secretary, Department Of Home, Government Of Bihar, Patna. Bihar
2. The State Of Bihar through the Principal Secretary, Department Of Education, Govt. Of Bihar, Patna.
3. The Director General Of Police, Bihar, Patna.
4. The Inspector General Of Police, Bihar, Patna.
5. The Superintendent Of Police, Gaya, Bihar.
6. The Officer In Charge, Sadar Police Station, Gaya.
7. The Investigation Officer Of Sadar P.S Case No. 381/2022, Distt.- Gaya.
8. The District Program Officer, Department Of Education, Gaya. Bihar
9. The District Education Officer, Gaya, Bihar
10. The Circle Education Officer, Gaya, Bihar
11. The Principal, Ramruchi Balika Inter Vidyalaya, Gaya R/O Piparpati Rd, Ambedakar Nagar, Panchaiti Akhara, Distt.- Gaya, Bihar- 823001.
12. Arvind Kumar, Teacher Ramruchi Balika Inter Vidyalaya, Gaya, S/O Gauri Shankar Prasad R/O Lal Babu Road, Nai Godam, P.S- Kotwali, Distt.- Gaya.
13. Vinik Kumar, Clerk, Ramruchi Balika Inter Vidyalaya, Gaya Piparpati Rd, Ambedakar Nagar, Panchaiti Akhara, Distt.- Gaya, Bihar- 823001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vishal Saurabh, Advocate
For the Respondent/s : Mr.G.P.19

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-07-2025 Heard the parties.

2. The defects pointed out recently are being ignored.

3. The petitioner has moved the Court for the



following reliefs:

“(a) Issuance of Writ or writs in the nature of Mandamus commanding/ directing the Official Respondents specially Respondent no.6 to investigate the Gaya Sadar P.S case No- 381 of 2022 properly and in fair manner which is registered under sections 341, 323, 354(a), 504, 506/34 of IPC. And in alternative if the Hon'ble court finds the irregularity in fair investigation by the Police Officials, then the case may be referred to be investigated by any independent Agency or by any higher officers of the Police Department.

(b) The Respondents be further directed to arrest the above named accused persons i.e 1.Arvind Kumar, S/o Gauri Shankar Prasad, R/o Lal Babu Road, Nai Godam, P.S- Kotwali, District- Gaya, 2. Vinit Kumar, 3. The then Principal Ramruchi Balika Inter vidyalaya, Gaya, Mrs. Raj Kumari, Piparpati Rd, Ambedakar Nagar, Panchaiti Akhara, Gaya, in connection with Gaya Sadar P.S case No- 381 of 2022, for offence U/s 341, 323, 354(a), 504, 506/34 of IPC.

(c) The Official Respondents be directed to investigate the case in appropriate manner as laid down under section 174 of Cr.P.C.

(d) The Respondents may be directed to protect the life, family and property of the Petitioner from the accused persons and their antisocial elements.

(e) The Respondents be further directed to take a decision in light of memo no 9/ सा०/प्र०आ०-196/2021/6471 dated 10-03-23 by which direction was given to District Education officer, Gaya i,e Respondent No-8 to suspend Respondent No-12.”

4. The final form has been submitted by the police and cognizance has been taken.



5. The main complaint of the petitioner is that the final form was submitted by an officer who was already transferred before submission of the final form. Therefore, action should be taken against that police officer.

6. For the aforesaid grievance of the petitioner, the petitioner is given liberty to approach the Senior Superintendent of Police, Gaya and if the Senior Superintendent of Police, Gaya finds substance in the complaint of the petitioner, he will take appropriate steps against the police officer who has submitted final form after having been transferred from Gaya.

7. In view of the above, this application stands disposed of.

(Sandeep Kumar, J)

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